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Editors

Evolutionary Governance Theory

Theory and Applications

 Springer

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Contents

Part I Introduction	
1 The Search for Evolutionary Approaches to Governance	3
Raoul Beunen, Kristof Van Assche, and Martijn Duineveld	
2 An Overview of EGT's Main Concepts	19
Kristof Van Assche, Raoul Beunen, and Martijn Duineveld	
Part II Configuration of Actors and Institutions	
3 Planning and Law in Evolving Governance	37
Kristof Van Assche, Raoul Beunen, Anneke Smit, and Gert Verschraegen	
4 The Evolution of Welfare State Governance	57
Gert Verschraegen	
5 Cultures of Informality and Networks of Power in Post-Soviet Non-democracies	73
Nicolas Hayoz	
6 Agricultural Resources Governance in Uzbekistan: A System Theory-Inspired Perspective on Evolutionary Governance	87
Anna-Katharina Hornidge, Kristof Van Assche, and Anastasiya Shtakovna	
7 The Emergence of Governance and the Function of Law	107
Poul F. Kjaer	
8 Evolutionary Governance, Sustainability, and Systems Theory: The Case of Central Asia	119
Nodir Djanibekov and Vladislav Valentinov	
Part III Configurations of Power/Knowledge	
9 Power/Knowledge as a Driver for Governance Evolution	137
Raoul Beunen, Kristof Van Assche, and Martijn Duineveld	
10 The Role of Fantasy in Public Policy Formation	143
Michael Gunder	

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11	Topology and Object Formation	155
	Julian Barba Lata	
12	Performances and Performativities of Resilience	167
	Jean Hillier	
13	Heated Debates: The Transformation of Urban Warming into an Object of Governance in the Netherlands	185
	Daan Boezeman and Henk-Jan Kooij	
14	Evolution of Governance or Genealogy of Power?	205
	Guus Dix	
Part IV Case Studies		
15	Bridging Promises and (Dis)Illusions: Deliberative Democracy in an Evolutionary Perspective	215
	Luigi Pellizzoni	
16	A Co-evolutionary Perspective on the Adoption of Sustainable Land Use Practices: The Case of the Amu Darya River Lowlands, Uzbekistan	233
	Utkur Djanibekov	
17	Between Individual Autonomy and Centralized Control: Outlining an Evolutionary Model of Neo-endogenous Rural Development	247
	Martin Petrick	
18	Accounting in Evolving Organizations	267
	Annastasiya Shtaltovna, Kristof Van Assche, and Anna-Katharina Hornidge	
19	Negotiating Differences: The Role of Social Identity in the Emergence of Institutions for Local Governance	291
	Jasper de Vries and Albert Aalvanger	
20	Administrative (De)Centralization and the Governing of Borderlands: Towards Transmodern Governance in Belgium and DR Congo	305
	Patrick Devlieger	
21	Innovation in Governance	313
	Kristof Van Assche, Raoul Beunen, Julian Barba Lata, and Martijn Duineveld	
Part V Conclusions		
22	Bright Futures! (and Plenty of Work)	329
	Raoul Beunen, Kristof Van Assche, and Martijn Duineveld	
	Glossary	335

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Administrative (De)Centralization and the Governing of Borderlands: Towards Transmodern Governance in Belgium and DR Congo

Patrick Devlieger

Abstract

This chapter investigates processes of decentralization in Belgium and the Democratic Republic of Congo. Evolutionary governance should take account of the unique legacies of modernism on national, regional and transnational governance, and go beyond the post-modern debunking of modernism and its myths of universality and rationality. For EGT analyses of the long term and large scale, the concept of trans-modernity, distinct from post-modernity, can structure the assessment of positive and negative legacies of modernism and modernity. The chapter further argues for the inclusion of the concepts of borders and borderlands in EGT, as spatial concepts and spatial metaphors.

20.1 Introduction

Belgium and the Democratic Republic of the Congo (DR Congo) share a colonial past that has mutually influenced their strategies of governance. However, they have also independently evolved as nations. In the course of their common histories, they have also encountered historical events that have significantly delineated their strategies of governance. Some of these are internal; others are external issues of international importance.

In this chapter I consider the governance of borders as an important vantage point for analysis. Borders can appear and disappear; borderlands can grow and decline and the relevant niches of human activity develop or dwindle. Within the context of DR Congo and Belgium, it seems less relevant to consider the border-as-frontier as an explanatory concept of change. Rather, it seems more relevant to

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address what has motivated historical events and to contextualize their settings and impacts. Furthermore, a comparative perspective may bring out their similarities and differences.

I will argue that the governance of borders in the context of (de)centralization strategies in the recent histories of Belgium and DR Congo are following different and opposing paths. In the context of Belgium, governance is characterized by a transfer of capacities to the regional level, and in the European context, by the development of the free movement of goods and people across Europe. In the context of DR Congo, the recent attempts at decentralization were motivated by the perceived need to bring governance closer to the population, thus resulting in more and smaller provinces (26 instead of 9) and thus more internal borders, which would be empowered by fiscal measures (i.e., keeping 40 % of tax income at the provincial level).

First, I will outline the historical circumstances of Belgium's and DR Congo's (de)centralization processes. Second, I will address the nature of borders, their transgressions and maintenance, thus pointing to governance in a contemporary context. Third, I will point to the future; though the Cold War influenced the countries' relations and governance in the past, currently and in the future, this role is being played by China. This approach can be described as transmodern because it deals with the way the modern has significantly influenced governance. Moreover, this transmodern approach may be considered one of the latest frameworks for understanding the evolution of governance.

20.2 Historical Circumstances

Belgium's and DR Congo's decentralization processes have followed different pathways. Belgium's decentralization process has followed three main directions. One direction has been the reorganization of the country's administrative structure, occurring in the 1970s, which led to an increase in the size of the smallest administrative unit, the commune. The process was presented as one of rationalization but was also one of giving up identity. Villages were combined to form a larger unit, leading to reductions in political representation and infrastructure. Just as this process of administrative fusion and/or annexation of villages was being finalized, a cultural and protest response began, which targeted the celebration of the village and local belonging. This was clear in 1978, named "The Year of the Village" (Het jaar van het dorp), when multiple celebrations occurred throughout Belgium. A second direction that characterizes Belgium's decentralization has been the shift of administrative competencies from the federal to the regional level, which has gradually strengthened regional administrations. Indeed, Belgium's most recent (sixth) reform resulted, for the first time, in greater funding at the regional as compared to the federal level. Finally, a third process has been the incorporation of Belgium into the European space. This process has valorized the representation of the country but also strengthened the reality of the existence of its regions, thereby supporting the concept sometimes known as the "Europe of Regions."

The three processes above indicate an evolution in governance that, for the citizenry, suggests a large-scale recalibration of the three levels of government: the commune, the region, and the country. A fourth level of governance, namely the province, appears to have remained rather stable, but this implies that its relevance is often questioned.

In DR Congo decentralization has been regularly revised since its establishment, under both colonial and independent rule. The revisions have challenged the central government as well as other levels of government, particularly the provincial level, to adjust to new roles. The revisions have also had an impact on the traditional forms of governance practiced by local leaders or chiefs, whose roles have also changed. The historical circumstances of these revisions were informed by central powers and by an (un)willingness to implement decisions. Under colonial rule administrative structures were characterized by control as well as the creation of free trade and the management of infrastructure. After independence administrative structures were put under the control of the political party in hopes of dismantling colonialism and confirming the unity of the country. Ethnic conflict however has undermined this unity and has famously led to distrust of administrative structures, signified by the phrase "Fend for yourself," or more correctly, "You are at home, fend for yourself." This distrust has limited the government's control over its citizens and has promoted the clear message that governance is something to be undertaken by citizens themselves, a task that citizens may not be prepared to engage in.

20.3 Borders, Boundaries, and Borderlands

The history of governance in Belgium and DR Congo should not only be addressed from the perspective of how resources (territories and their people, and other resources) were handled. Their governance must also be studied with respect to borders and boundaries, especially in reference to their fluidity and the existence of "borderlands"—spaces that are physically and metaphorically loose and, in the future, may require "bordering," or a more definitive legal or other type of settlement (Devlieger and Pang n.d.).

In Belgium three levels of borders—communal, regional, and national—require attention. At the communal level, there has been a significant change in scale as administrative regulations have been rationalized and adapted for a larger territory. The proximity of governance at the local level has therefore become smaller. There are fewer local politicians such as mayors and council members available to the population, and the physical distances required for arranging administrative matters regarding identity, property, and safety are larger. Of course, some of these distances are offset by better technology and better transportation possibilities. At the regional level, administrations have become steadily stronger. Perhaps this is where Belgium is most typical, compared to other countries in the world, with regard to its language policies (see Mak 2013). One can say that language is a real border because it regulates how territories and administrative procedures but also

identities are arranged and negotiated in a legal way. Nationally, the borders of the country have been downplayed as a result of the free movement of people and products in the Eurozone.

In DR Congo the focus is on two border levels: external and internal. During the colonial period, governing of external borders was rather fluid. Control has tightened during the postcolonial period due to problems with DR Congo's neighbors. At the internal level, the number of borders has increased as the number of provinces has grown over time. During the last reform of 2006, a constitutional decision determined that DR Congo is a decentralized state; this included increasing the number of provinces from 9 to 26. However, many issues have slowed down its implementation. Among others, the various provincial councils have not been established; the tax plan that foresaw 40 % of revenues allotted for provincial governing has also not been implemented. Moreover, there seems to be a fear in some areas of the country that real decentralization would lead to renewed secession attempts. In other parts of the country, decentralization has been slowed because the decision is said to have been made from the top, without taking into consideration concerns about ethnic belonging.

The existence of borderlands in the Belgian historical context appears to have taken different connotations depending on the level of government. At to the national level, borders with its neighbors have taken on historical and sometimes nostalgic connotations. For example, the borderland between Belgium and France is frequented by summer bike tourists who marvel at the historic contexts. Some of the old phenomena of smuggling have totally disappeared; however buying fuel and cigarettes across the border continues to some extent. However, the borderland has also taken on connotations of economic cooperation and development. Cooperation between cities across the border brings in common projects of development and mobility.

The borderlands in DR Congo however continue to be marginal and, in some cases, dangerous places. The eastern borderland with Rwanda has become a zone of Rwandan expansion in which Rwandese money and products flow. The northeastern border with Uganda is characterized by transborder activity but also danger. In the southern part of the country, there is much activity with the richer countries (as for example the importation of cars). On the western side, the borders with Angola and Congo Brazzaville are characterized by transborder trade, even though tensions in cross-border relations arise from time to time due to the border becoming an opportunity for rescue from DR Congo. An interesting case is how the transborder trade between Kinshasa has resulted in its becoming the province of different marginalized groups, such as women, people with disabilities, and street children, who compete or collaborate in this trade (see Devlieger 2009).

20.4 Analysis: The Need for a Transmodern Perspective on Governance

Belgium and DR Congo share a common history. Their processes of governance have sometimes led to mutual assistance and cooperation and in some cases to ironies. For example, Belgian experts and researchers have been regularly involved in efforts to formulate solutions for DR Congo's administrative challenges. Likewise, problems with Belgium's institutional crisis have evoked responses from the Congolese diaspora. Some of these responses were ironic, as the suggestion that Belgium perhaps needed to be annexed to DR Congo for its problems to be solved.

Despite commonalities, the countries are hugely different in their challenges and opportunities for governance. In Belgium, the existence of the country itself has been problematized and has been consistently entered into the political realm. Issues are the continuation of a constitutional monarchy, the existence of the senate, and the role of Belgium as a country in supranational bodies, such as the EU and NATO. However, no one seems to be questioning the continuation of governing through territorial/linguistic bordering. Regional powers appear to have become dominant and cooperation beyond that level to be problematic, especially in the national context. In addition, there is growing awareness that the multilevel governance has become very complicated and costly; therefore, the provincial level of governance requires scrutiny, which will perhaps lead to its dismantling.

DR Congo, on the other hand, is on a path of economic recovery with important initiatives in the building and reconstruction of its infrastructure, followed by an effort to strengthen its institutional base. The effects of these efforts, however, have not yet been felt by the common citizen; distrust of the government and the motto "Fend for yourself" are still prominent. Administrative reform has not shown the results promised by the new constitution of 2006. Nevertheless, some provincial governments have shown courage and initiative in the person of their governors. It appears that the provincial level may become a more important level of governance in DR Congo, but at this time, the presidential level and the national government continue to be dominant.

While the experience of ethnic belonging is entirely different in each country, it seems to continue to be a key factor in defining a sense of belonging. In Belgium, ethnicity has now entered in the political debate at both regional and national levels. It is also a critical debate in Europe, where the prospect of a Europe of regions is on the horizon. The Belgian regions, especially Flanders, together with Scotland in the UK and Basque Country in Spain, seem to be at the forefront of this movement. Ethnic belonging also continues to be of importance in DR Congo. Under the Mobutu regime, ethnic self-definitions were downplayed in favor of Zairean identity, and this trend continues. The Congolese identity is still strong, with most people continuing to defend the integrity of the country and unwilling to negotiate changing its borders. Nevertheless, ethnic profiling remains

important in internal politics and influences internal mobility and trade, as well as cross-border exchanges.

Lastly, relations between Belgium and DR Congo, as they have been defined by colonial and postcolonial arrangements and mutual influences, diplomatic and political exchanges, development aid, trade, and remittances, have indirectly influenced the governance of their citizens. Travel between the two countries has been closely monitored by visa regulations, migration policies, and citizenship recognition. Because travel during the colonial period was largely restricted to Belgians, it was mostly only after independence that Congolese began traveling to Belgium, at first mostly for reasons of study, though later for other reasons also. Current estimates put the number of Belgians in DR Congo at 4,000 and the number of Congolese in Belgium at 16,000.

At the global level, the Cold War greatly influenced the governance of both Belgium and DR Congo. However, the disappearance of the two great camps has given way to issues of economic importance, in which China is undoubtedly playing the most important role.

A comparative analysis of governance between two vastly different countries with a shared colonial history is, at the very least, a challenge. Their differences are larger than their commonalities. However, historical ties have led to mutual recognition and understanding. The Congolese wish to continue to see Belgium as a privileged partner, even though clearly articulated mutual interests and shared opportunities may be lacking. Belgians, on the other hand, are divided on how much effort should be invested in the relationship.

The emergence of China is undoubtedly already having a strong influence. Even though the relationship with China is strongly defined along economic lines and the needs of mutual development, it has resulted in an awareness, for both DR Congo and Belgium, that a new era has begun.

Perhaps a new era of analysis is also beginning: the transmodern era. The transmodern approach would not make an abstraction of the past—the ways governance has been successful and the ways administrative reforms have brought about real change in identity, belonging, and transnational and translocal relations. Within a transmodern era, however, a shared future would dominate rather than a shared modern past (in this case colonialism). Within such a perspective, governance would be plural and less defined in binary terms.

20.5 Transmodern Evolutionary Borderland Governance: What's in a Name?

In this chapter I have started to unpack the differences and commonalities in governance between a European and an African country with a shared colonial past. I have argued that administrative organization and reform is an interesting point of departure, but that perhaps a more interesting one lies in comparisons between borders, boundaries, and borderlands. Furthermore, I have identified the

existence of such borders and borderlands at many different levels of governance. All of this makes comparisons between governance in the two countries highly complicated. I have also briefly suggested that the appearance of a big “third player,” namely China, may alter the ways of (analyzing) governance, moving them toward the possibility of transmodern governance. In such analysis, it is important to note that governance should consider not only the existence and the impact of modernity in its various forms but also the possibility of how regaining control of its roots, perhaps in the form of ethnic belonging, can inform the future.

Evolutionary governance theory is an interesting theoretical perspective that seeks to analyze the “nature and functioning of dependencies that mark governance evolutions” (Van Assche et al. 2014). However, I would like to argue for two additions, namely the notions of the transmodern and the borderland, roughly referring to time–space positions.

The transmodern perspective should have equal footing because, while governance is indeed an age-old concept that requires analysis of the ways it has evolved over time, it is “modern times,” as they have come about in the forms of industrialization and colonization, that have significantly shifted governance into different realms and dependencies. Transmodernity attempts to deal with the impacts of modernity without dismissing it, as postmodern thinkers do. It deals with positionings across time, spanning the traditional, the contemporary, and the future. In a complex case such as the governance practices of Belgium and DR Congo, transmodern analysis considers how the two nations have lived through time: both countries have to deal with how modernity has deeply changed them, how their pathways have intersected, and how they may continue to evolve in the future.

The complexity of governance as it deals with borderlands can then reach an epistemology of how the sociability of identities, bodies, and land can be mapped out. Here the spatial metaphor leads the way into exploring how inner spaces (identities) cannot be separated from understandings of body functioning and historical developments in the land (see Anzaldúa 1989), as well as into exploring how emotions, in the form of hopes, desires, and satisfactions, inform daily practices (Moore 2011).

Future studies of governance must entail working across the indeterminations of time, space, and emotions. In the case of Belgium and DR Congo’s intersections and mutual dependencies, this requires a memory of past times and events as well as differential dealings with modern (as alternative or parallel to ethnic) ways of belonging and ways of envisioning the future.

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Innovation in Governance

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Abstract

In this chapter we develop a theoretical framework, deriving from the social systems theory of Niklas Luhmann and Evolutionary Governance Theory, to grasp the paradoxes of current notions of innovation in governance, and to outline an alternative approach. A renewed reflection on innovation we deem essential for an understanding of the potential for delineating the limits and possibilities of managing, steering or planning innovation in such endeavor. Innovation, it is argued, has to be understood as a post-hoc interpretation of previous decisions and actions, emerging in shifting networks of actors and allies. It is a risky and unpredictable operation at the intersection of incompatible understandings of the world. Managing, steering or planning innovation, then, has to be understood as the creation of conditions for reflection, including the reflection on the redistribution of risks engendered by innovation.

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